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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REPLACED BY
ART 34 AND 2

Applicant's or agent's file reference P3314.PC/PDW		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA416)	
International application No. PCT/GB 03/03043	International filing date (<i>day/month/year</i>) 11.07.2003	Priority date (<i>day/month/year</i>) 11.07.2002	
International Patent Classification (IPC) or both national classification and IPC B41J221			
Applicant WILLETT INTERNATIONAL LIMITED et al.			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of 3 sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the opinion</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>			
Date of submission of the demand 10.02.2004		Date of completion of this report 13.10.2004	
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tlx 31 651 epo nl Fax: +31 70 340 - 3016		Authorized Officer Christensen, J Telephone No. +31 70 340-2437	



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/GB 03/03043**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-21 as originally filed

Claims, Numbers

1-19 received on 19.07.2004 with letter of 19.07.2004

Drawings, Sheets

1/2-2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-18
	No: Claims	19
Inventive step (IS)	Yes: Claims	
	No: Claims	1-19
Industrial applicability (IA)	Yes: Claims	1-19
	No: Claims	

2. Citations and explanations

see separate sheet

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Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following document/s/:

- D1: EP-A-0 958 921 (EASTMAN KODAK CO) 24 November 1999 (1999-11-24)
- D2: EP-A-1 057 646 (EASTMAN KODAK CO) 6 December 2000 (2000-12-06)
- D3: US 2002/067402 A1 (NISHITA NOBUHIRO) 6 June 2002 (2002-06-06)

2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 does not involve an inventive step in the sense of Article 33(3) PCT.

In the description page 1 to page 2, line 4 the closest prior art has been described as

A method of manufacturing a transfer for the subsequent application of an image to a substrate, the method comprising the steps of

- (a) applying said image to a carrier sheet of the transfer; and
- (b) applying a cover coat of the transfer over at least that area of the carrier sheet to which the image has been applied, thereby to provide said transfer.

The subject-matter of claim 1 therefore differs from this known prior art in that:

the image and/or the the cover coat is applied using an ink jet printer.

The problem to be solved by the present invention may therefore be regarded as long disruption times when changing from one design to another as new transfers has to be produced.

The solution proposed in claim 1 of the present application cannot be considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

This feature (using an ink jet printer to produce an image followed by applying a cover coat) have already been employed for the same purpose (retaining the integrity of the image) in a similar method (applying to a substrate), see document D1, page 3, lines 30-43; figure 1. It would be obvious to the person skilled in the art, namely when the same result is to be achieved, to apply this feature with corresponding

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effect to a method according to the description of the application, thereby arriving at a method according to claim 1.

3. Furthermore the present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 19 is not new in the sense of Article 33(2) PCT.

Claim 19 relate to an ink jet printer but no technical features are stated making this ink jet printer new and inventive over the prior art (e.g. D1).

4. Dependent claims 2-18 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, see documents D1, D2 and D3 and the corresponding passages cited in the search report.